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Remarks:

Reconsideration of the application is requested.

Claims 1-12 remain in the application. Claim 1 has been amended.

In item 1 on page 2 of the above-identified Office action, claim 12 has been rejected as being indefinite under 35 U.S.C. § 112, second paragraph. More specifically, the Examiner has stated that "[t]he term 'call set-up' in claim 12 is a relative term which renders the claim indefinite." The term "call set-up" is a well known phrase in the field of technology for initiating a telephone call, as indicated by the enclosed copy of an English-German dictionary. Consequently, the Examiner is requested to re-consider the rejection.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, second paragraph. Should the Examiner find any further objectionable items, Counsel would appreciate a telephone call during which the matter may be resolved.

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In item 2 on page 2 of the Office action, claims 1-12 have been rejected as being anticipated by *Picard et al.* (US 6,233,318) under 35 U.S.C. § 102.

The rejection has been considered and claim 1 has been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found on page 4, lines 4-16, of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 as amended calls for, *inter alia*:

indicating, with each of a plurality of message services, to a common notification server a presence of a new message for a subscriber on the respective message service;

selecting, by the subscriber, at least *one terminal from* a plurality of *terminals of the message services*;

transmitting, with the notification server, to the at least one terminal selected a *notification* indicating that a new message is present and in which message service the new message is present.

On page 3 of the Office action, the Examiner stated:

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Regarding claim 1, Picard teaches a method of notifying a subscriber of a plurality of message services of a message:

indicating, with each of a plurality of message services, to a common notification server a presence of a new message for a subscriber on the respective message service(col.3 lines 33-51)

selecting, by the subscriber, at least one terminal from a plurality of terminals (col.3 lines 51-56, col.4 lines 4-14, and col.11 lines 16-27); and

transmitting, with the notification server, to the least one terminal selected a notification indicating that a new message is present and in which message service the new message is present (col. 2 lines 26-54 and col. 11 lines 37-50).

Col. 3, lines 51-56; col. 4, lines 4-14; and col. 11, lines 16-27; of *Picard et al.* cited by the Examiner for the features of the second paragraph of claim 1 state, respectively:

d. The ability to access the mailbox through a variety of commonly-available mailbox access terminals (PC, DTMF phone, etc.), without special equipment, and with, as far as practicable, logically the same capabilities for all terminal types

Although it is possible to have a mailbox which is integrated with respect to multiple message types but which can only be accessed through a single type of terminal (e.g., e-mail systems using MIME), a fully integrated mailbox is preferably accessible from several types of terminals and pathways, to maximize the subscriber's ability to access his *messages* in various circumstances. The following terminal types are provided by the present invention: a. Conventional DTMF telephone handset; and b. Personal Computer (PC).

Two situations for data type conversion can arise: when a subscriber's terminal type will not accept the stored message format, and upon user request. An intermediate situation is when a subscriber requests delivery or forwarding of the message to a system or terminal, other than the one he is using, which does not support the data type. Most conversions are implicit from the

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message type and the destination, but it may be preferable for a subscriber to explicitly request conversion (e.g.) of a facsimile message to text for forwarding to an Internet address, even though the message could have been sent as a MIME facsimile message.

(Emphasis added)

Picard et al. disclose a unified messaging system that provides a multimedia mailbox, allowing a subscriber to access stored multimedia messages, such as voicemail messages, facsimile messages, combined voice and facsimile messages and video messages, over the internet or telephone.

However, *Picard et al.* do not disclose selecting, by the subscriber, at least one terminal from a plurality of terminals of the message services, as recited in claim 1 of the instant application. In the invention of the instant application, the subscriber can select the terminal and, therefore, the message service to which the notification is to be sent. In *Picard et al.* the subscriber must access a new and different message system.

Furthermore, *Picard et al.* do not disclose transmitting to a selected terminal a (mere) **notification** indicating that a new message is present and in which message service the new message is present, as recited in claim 1 of the instant application.

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Therefore, the invention as recited in claim 1 of the instant application is believed not to be anticipated by *Picard et al.*.

The inventive concept of the invention of the instant application is to use a notification server able to connect to a plurality of different message services, for transmitting to a selected terminal selected from the various terminals of the different message services, a notification indicating that a new message is present from one of the different message services, and in which message service the new message is present. *Picard et al.* disclose a new unified messaging system with a multimedia mailbox, in contrast to using existing terminals of the different message services. Transmitting only a notification indicating that a new message is present and in which message service the new message is present, compared to transmitting the message itself as in *Picard et al.*, has the advantage of avoiding the problems associated with message protocol conversation (for example, as discussed in col. 11, lines 16-27, of *Picard et al.*) and, thereby, allows the use of any one terminal, selected by the subscriber, from the terminals of the different message services.

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It is accordingly believed to be clear that *Picard et al.* do not show the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art and because claims 2-12 are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-12 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, the Examiner is respectfully requested to telephone Counsel so that, if possible, patentable language can be worked out.

If an extension of time is required, petition for extension is herewith made.

Please charge any fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

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Respectfully submitted,



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